The Times's Dispatch

# JURY COMPLETE AND READY FOR TRIAL OF THAW

Last Man Secured and Court Adjourns to Monday.

### CASE OF THE PEOPLE TO BE VERY BRIEF

Defense Warned to Be Ready to Begin Their Side at Afternoon Session on Monday-Pos-

sible That One or Two Jurors May Be Excused.

(Special to The Times-Dispatch.) NEW YORK, February 1.-Judge Fitzgerald, who is presiding over Thaw trial, was for years a justice of the Court of General Sessions, the principal criminal court the Supreme Court, which corresginia. He has had, therefore, much experience in the criminal, as well as the civil branch of the law. He is noted for his ability and his lected with the approval of the defendant and his counsel as to each As the defendant has not exhausted his peremptory chalthe defendant will have a fair trial. protected as to the merits of the case. I prefer not to speak while

GEO. GORDON BATTLE.

### JURY COMPLETE AT END OF EIGHTH DAY

NEW YORK, February 1.—The Thaw ry, as completed late to-day, follows Poreman-Deming B. Smith, aged fifty-five; retired manufacturer;

2-George Pfan, nged thirty-No. 2—George Pfan, nged thirty-four; hardware; marvied. No. 3—Charles H. Fecke, aged forty-five; shipping agent; married. No. 4—Oscar A. Pink, aged forty-alx; salesman; married. No. 5—Henry C. Harney, aged fifty; planos; married. No. 6—Harry C. Brearley, aged thirty-five; advertising agent; mar-ried.

No. 7-Malcolm S. Fraser, aged

forty; salesman; married.
No. 8-Charles D. Newton, aged sixty-five; retired railway official;

married.
No. 9-Wilhur S. Steele, aged sixty; manufacturer; married.
No. 10-John S. Dennee, aged thirty-eight; rallway freight agent;

ried. 11—Joseph B. Bolton, aged even; clerk; married. 12—Bernard Gerstman, aged six; manufacturer's agent;

orn in, Justice Fitzgerald ordered an journment of court until 10:30 o'clock

### Jerome Wants a Change.

District Attorney Jerome, who has been contending since yesterday afternoon for the removal of one of the men now in the jury box, but who has failed to gain the consent of the defendant's counsel to a change, was still reluctant as court adjourned to-day to begin the actual proceedings without a further opportunity to plead with Thaw's attorneys. At his request, therefore, Justice Fitzgerald ordered all talesmen who have not yet been examined to be in court Monday morning ready for jury service in case any are needed.

Mr. Jerome then anounced that !! there should be no change in the situation in the meantime, the State would proceed to place all its direct testimony before the jury at the Monday morning session. The defense was notified to be in readiness to proceed by Monday afternoon.

"We are entirely satisfied with the jury," said Clifford W. Hartridge, Thaw's leading counsel, to-night, and he added the intimation that he would not consent to any further alterations of the personnel.

"The defense will be ready to proceed." contending since vesterday afternoon for

to any further attentions the hel.

"The defense will be ready to proceed the minute the prosecution has finished its case," declared John B. Gleason, one of Thaw's attorneys.

# Prosecution to Be Brief.

Prosecution to Be Brief.

Assistant District Attorny Garvan will make the opening address for the prosecution. His remarks will be very brief, occupying perhaps, not more than twenty minutes. The State will then introduce such witnesses as are necessary to prove that Stanford White was shot and killed by Harry K. Thaw, on the Madison Square Roof Garden, the pight of June 25th, last.

In announcing that the introduction will not require more than one session of the court. Mr. Jerome is evidently of the opinion that the cross-examination of the States witnesses as to the actual events associated with the tragedy may not be very extensive.

tual events associated with the tragedy may not be very extensive.

From the questions which have so persistently been put to the talesmen by Thaw's attorneys as to any prejudice against a defense of insanity, it is at least generally conceded that a plea pf emotional insanity will be main reliance of the young defendant. This probably will lead to a cross-questioning of the State's witnesses as to any peculiarity they may have noticed in Thaw's conduct on the night of the tragedy, on which conclusion the State's direct testimony may be longer than testimony may be longer than anticipated.

Prisoner in Good Spirits. (Continued on Third Page.)

# PLAN DISCUSSED FOR EMERGENCY

Into Feasibility of Proposition is Taken.

### PUT NEGRO POOR ON CITY'S FARM

Eminent Physicians Urge the Plan by Which It Is Proposed to Give the Indigent Ill Benefit of Skilled Medical and Surgical Attention.

ambulance cases and operation. It was just a beginning, but it was a gträw which may be regarded as very significant of the attitude of the committee on this problem, to which it has given special study and thought. The adoption of the suggested plan—and it is now in a preliminary stage—would mean the divorce of the hospital from the almshouse and the treatment of the diseased, the injured and those requiring operations by men expert in the various specialties of medical and surgical practice, practically without charge to the city, save the initial expense of the construction or purchase of a hospital centrally located and properly adapted to the requirements. requirements.

The victory was not gained without a stubborn fight, in which Mr. Gunsi, the chairman of the committee, led the opposition, which advocated the construction of a new negro almshouse at an aggregate cost of something approximating \$62,000. The bids on the colored almshous, as planned by Architect Charles K, Bryant and amended in many particulars by various members of the

Importance of Change.

When the subcommittee investigating conditions and needs at the dual institution, known as the City Home, made its report, recommending some interior improvements in system and various decrease many decirated that this was the

had not then been reached, and that the information gleaned by that inquiry and carefully recorded, would be util-ized hereafter in support of certain im-portant recommendations looking to the betterment of the hospital service and the increase of its efficiency. The feasi-bility of the creation and maintenance

younger members of the profession and one of the most progressive, who presented alternative plans for the better care of the indigent sick, and in this connection a plan for the care of the indigent negroes, by placing them in comfortable buildings on the city farm of 160 acres, where they might enjoy outdoor life and fresh air and greater freedom than in a three or four-story building in the city. The alternative plans for the treatment of the indigent sick and the injured are as follows:

The arrangements be made with the

# BUT VERY HAPPY

Notice Was Published, Says

Time Will Heal All.

(Special to The Times-Despetch.)

NORFOLK, VA., February 1.—Mrs. Hugh
McConville, nee Burger, of Baltimore,
the story of whose secret marriage
against her parental objections and
subsequent flight with her husband has
been told, arrived safe in Portsmouth
this morning, accompanied, of course,
by her young husband.

The little bride was fairly composed
when she arrived, although evidences
of the excitemnt through which she
had been had not left her. A warm reception was given the couple by the
friends of the groom. A remarkably
pretty little bride and a manly groom
is what all who met them thought of
them.

But indignation burned in the breasts
of the couple as the result of the advertisement which the father of the
bride published in Baltimore, to the effect that his daughter had died.

"Well, it is all over," said Mrs. McConville to her new friends here, "and
I hope time will heal all wounds. I
expect to be very happy."

# HOSPITAL HERE

Important Action Looking

the Council Committee on Relief of the Poor, succeeded last night in winning in ambulance cases and operation. It was

sick and the injured are as follows:

The arrangements be made with the present hospitals to look after these on a per diem basis; that one of the present hospitals in the city be taken over and run by the city as an emergency and indigent hospital; that the municipality construct and operate such a hospital in the central portion of the city.

Dr. Williams's plan for the care of the negro poor contemplates the construction of one-story frame structures on the city farm, at a cost of about \$15,000, instead of the expenditure of \$60,000 or

# BRIDE "DEAD."

(Continued on Tenth Page.)

Mrs. McConville, Whose Death

in this city of an emergency hospital for

The victory was not gained without

subcommittee.

treatment of the indigent sick. They were followed by Dr. Ennlon G. Williams, one of the most prominent of the younger members of the profession and one of the most progressive, who presented alternative plans for the better care of the indigent sick, and in this connection a plan for the care of the indigent negroes, by placing them in longing the graph of preparedness justified by the threatening conditions.

## Labor Question Serious.

Labor Question Serious.

It is believed that investigation will reveal that in reality the labor question is of more importance and is exercising the minds of Pacific coast people to a much greater degree than the question of admitting Japanese children to white schools. The labor unions of San Francisco are quite willing—in fact, preferto put the school question to the fore. It is true, according to high authority, that the government of Japan has agreed, in the course of nexotiations on the pending treaty, that if America will agree to a clause guaranteeing admission of Japanese children to white schools, Japan will agree to a clause prohibiting the admission of Japanese laborers into the United States; but it is believed that should America yield this point Japan would also make other stipulations which would make it impossible for our government to reach an agreement with the Japanese perolisions. ment to reach an agreement with the Japanese negotiators.

Japanese negotiators.

In short, Japan is so proud of her new place in the sisterhood of civilized nations she will not be willing to accept anything in the form of a treaty which does not recognize the absolute equality of Nippon with every other nation called civilized and enlightened.

# CLASH OF INTERESTS MAY LEAD TO WAR

[Special to The Times Dispatch.] WASHINGTON, D. C., February 1,—"We have laid the foundation for commercial supremacy on the Pacific

(Continued on Second Page.)

# DR. FOSTER STILL IN CONTROL OF EASTERN STATE HOSPITAL, DESPITE ALL INJUNCTIONS



# YET WITH JAPAN

May Be Matter of Months or of Years, But is Looked For.

## BOTH NATIONS TO PREVENT IT

They Are Also Concealing Al Possible as to the Feeling in the Two Countries-The Labor Question More Serious Than

BY WALTER EDWARD HARRIS.

Schools.

WASHINGTON, D. C., February 1 .a question of time. It may be a matter of years before hostilities begin. It may a matter of but a few months. be a matter of but a few months. That there will be war between the two powers is believed by every one at all familiar with the present state of dip-lomatic negotiations and the state of public feeling in Japan. There is as little doubt that the gov-ernment of Japan and the government of the United States are doing all possible to prevent an outbreak. It is also just

### Officials Look Forward.

Officials Look Forward.

The foregoing is based on conversations with several high officials, who will not admit publicly that there is anything in the situation to cause alarm. Privately they do not attempt to deny that the situation is a very delicate one, which must be handled with extreme care, and that there is little hope that more than the delay of an outbreak can be accomplished. The State Department is exhausting diplomacy in efforts to smooth over matters and restore good feeling.

But, more to the point and more in accord with the dictates of the situation,

Japan will not consent to negotiate any treaty which does not accord to the citizens of Japan in this country all the rights and privileges accorded citizens of the most favored nations. The peo-ple of California will not permit the children of Japanese to enter public schools for white children. The people of California and Oregon and Washing-ton State steadfastly oppose the un-restricted immigration of Japanese lab-orers.

They are coming in now at a rate which is alarming, and which makes it certain that in the space of comparatively a few years the male population of the Pacific Slope will be composed of a majority of Japanese.

What Do You Think of





GOVERNOR CLAUDE A. SWANSON, HON, JOSEPH T. LAWLESS. ATTY.-GEN. W. A. ANDERSON. DR. L. S. FOSTER.

Paul Weil and W. T. Smith Obstruct Views of Interior of Saloons.

### BOTH CASES WERE REPORTED

Are Liable to a Fine, of From \$100 to \$500-Have Had Since December 18 to Make Ready.

Carthy on December 18th, thus giving every saloon-keeper in the city due time in which to make such necessary changes in his place of business as were required under the ordinance. Many, if not most, of he saloons in the city, are so constructed that a view of the interior is made impossible, and until late yesterday there were to be seen no such remodeling or changes as would be required for compliance with that part of the ordinance which prohibits curtains, screens, glazed glass, or like obstructions.

The police had orders to report every saloonkeeper violating any part of the Umhanf ordinance, and were bade to keep strict watch upon all the saloons, though the authorities have no wish to put the proprietors of saloons to any unnecessary inconvenience. They have had since December 18th within which to take steps to live up to the requirements of the ordinance.

# Midnight Mission.

A meeting will go on in the Mid-night Mission, No. 1434 East Franklin Street, to-night, from 9 P. M. until mid-night, after an open-air meeting in the streets near the mission. All are wel-come at this service.

Richmond you must use.

Arrest of Peters and Cronin as Result of Bribery Investigation.

### CLIFFORD TO GRAND JURY

Sensational Developments Growing Out of Election of Judge Cowing as Recorder.

General Sessions ended to-day in the arrest of Alderman Henry C. Peters and John J. Cronin on charges of perjury. Alderman Clifford was held in \$10,000 ball for the grand jury. Alderman Peters, the leader of the municipal ownership members of the board, was held in \$2,500 ball, and Alderman Cronin was paroled on his own recognizance for a hearing next Friday.

The perjury is alleged to have been

The perjury is alleged to have been committed by the two Aldermen while

### DIES FROM INJURIES.

Burns of Deserted Negro Baby Prove Fatal.

Prove Fatal.

Blanch Smith, the two-months-old colored baby, who so badly burned in a fire Thursday afternoon at No. 2601 East Main Street, died at 3 o'chock yesterday morning at the colored almahause, where she may be seen to be supported by the seen of the

Richmond on the James?

Increase in manufactures, 1906 over 1905......\$ 9,000,000 Increase in jobbing business, 1906 over 1905..... 6,500,000

Increase in bank deposits, 1906 over 1895......24,000,000 Increase in bank clearances, 1906 over 1895..... 181,000,000

Now over 200,000 people in Richmond in five years. Does anybody doubt it? Remember THE FIFTEEN DAYS. If you want to keep in touch with the tide of progressive

The Times-Dispatch.

IT IS SUPREME IN VIRGINIA

Collections for the Y. M. C. A., 15 days' work-January 15-31, 1907 ......

# Writ of Prohibition Issued by Supreme Court Did Not Dislodge Him.

# LEFT HIM HIGH AND

Judge Tyler Also Restrained From Taking Further

# DR. BRUNK STILL GUEST;

He Is Sleeping and Stopping at the Hospital, Waiting to Take Charge as Soon as Dr. Foster Is Ready to Turn Property

SUIT BROUGHT TO

BREAK JAMES' WILL

Cousins of Testator In-

stitute Proceedings in

Richmond Court.

UNIVERSITY TO ACT

Declare That Institution Cannot

Hold and Administer Trust Estate-Court Asked to

Restrain Executor

From Distribut-

ing Funds.

stitution of a suit in chancery designed

o break the will of Edward Wilson

the Norfolk Fublic Library, H. Boswell Bagwell, Helen Wood Rogers, Frances W. Curd and Fred W. Curd, her husband; H. Hunter Rogers, Mary F. Douglas, Marion West and L. M. West, her husband; Marlon Portlock, Efizabeth Wood, A. J. Ackiss, Virginia Woodhouse, Edward James Woodhouse, Morton Marye, Auditor, 6 Public Accounts of the State.

The plaintiffs allege in their bill, after

DENY POWER OF

"I will not turn over this insti-tution to you."—Dr. Foster, to Dr. Brunk.

[Special From a Staff Correspondent,] WILLIAMSBURG, VA., February 1,-

Writ of Prohibition.

"I suppose I must obey the orders of the Suppose of The plaintins along in their oil, after reciting the fact of the death of Edward Wilson James, that having died without issue and having failed to name an executor, the next of kin of the testator are entitled to administer the estate. It is further claimed by the

testator are entitled to administer the estate. It is further claimed by the plaintiffs that after notifying the Norfolk Bank of Savings and Trusts that they wished to be present when the will was opened, in the interest of the next of kin of decedent, they gave to said bank the names of the next of kin and were by it assured that they would be notified. The bill alleges that the said bank is executor of the estate "in its own wrong," and declares that its powers should be revoked and the alministration of the estate granted to the next of kin of the iss-

Hospital Board, upon whose advice he replied to Dr. Foster that he (Brunk) stood on his rights, and would leave him Foster) to determine whether or not to arn over the hospital. Continuing, he

turn over the magnetic said:
"You understand clearly that I am here for the purpose of taking over this institution, but you will have to determine what to do."
Dr. Foster then replied:
"I will not turn over this institution to You."

Negro Youth Severely, Possibly Fatally, Wounds Principal

With Slate.

TEACHER'S HEAD

granted to the next of kin of the tes-

University's Share.

After making several small bequests, the will leaves the residue of the estate

(Continued on Second Page.)

A PUPIL BREAKS

TAPPAHANNOCK, VA., February 1.—
Rev. Winston, colored, principal of the colored public school of this place, while trying to correct a youth, Irving Pollard, about sixteen years old, was assulted by Pollard and beaten severely over the head with a slate, inflicting several very severe wounds, one very deep cut, entirely across the top of the head. The wound hid to be sewed up by Dr. Robinson, attending physician. It is thought that the wound may prove possibly fatal, Pollard was brought before Justice Duke and med \$5 and imprisoned in the county juil for sixty days.

Dr. Woodward Lectures. Dr. F. C. Woodward, of Richmond ollege, delivered the last of his series f lectures at the kindersarien rooms of West End Public School Thursday, his subject being "The Early Modern Period." These lectures were under the auspices of the Richmond Training ool for Kindergartners,

# DRY IN POSSESSION

# HE AND FOSTER CORDIAL

Over to Him.

WILLIAMSBURG VA., February 1.—
Dr. Foster still glings to the superintendency of Eastern State Hospitai, despite writs, prohibitions, injunctions, summones and rules for contempt that have been hurled against him by the various courts of the Commonwealth; in spite of ringing and patriotic letters written by His Excellency the Governor of Virginia, and the earnest endeavors of the Attorney-General and other able and learned counsel to drive him from his citedel in the executive building of the asylum.

Dr. Foster has been dismissed by the General Hospital Board, and for a brief six hours was routed by that august body, during which time Dr. Brunk, the newly elected superintendent, reigned in his stead, but braving the censure of the board, the authority of its act and the menace of the law, he still retains his position and will do so, he avers, until the Supreme Court has passed upon the questions at issue and decided for or against him on Tuesday next.

Like Mulvaney, of elephant fame, he is scornful of "contempt rules."

in October, 1906, leaving a personal estate valued at \$235,020.22 and reality estimated at \$67,000, or \$362,620.22 in all. The proceedings were instituted allowed by William F. Thousen and Viscolia.

### ccive possession Talk With Counsel.

Talk With Counsel.

After waiting for an hour, Dr. Foster, who talked to Mr. Jeffress, of his counsel, informed Dr. Brunk that it was his duty to obey the orders of Judge Tyler and not to give up possession of the asylum. "If, however, you demand it I will comply," said Dr. Foster.

Dr. Brunk then called up Mr. Hunton, of Richmond, counsel for the General Hospital Board, upon whose advice he

Dr. Foster then replicat

"I will not turn over this institution to you."

There is no change, therefore, in the condition of affairs at the Eastern State Hospital, for Dr. Brunk is still lodging in the executive building and taking his meals in the hospital dining-room, while Dr. Foster holds the keys and records of the institution.

Despite the war going on the physicians treat each other with great courtesy, and one would never imagine that there was black trouble in the air.

Dr. Brunk asserts that he will continue to live at the hospital, of which he is technically in charge.

It was a shrewd move on the part of Dr. Foster to offer to give up the institution to Dr. Brunk if "he demanded possession," for in the event that Dr. Brunk had made the demand, he (Brunk) would have been in contempt of Judge Tyler's court, and a rule might have been issued against Dr. Foster by Judge Scott.

Bitter Fight.

Bitter Fight.

Bitter Fight.

The history of the fight, which will doubtless terminate on February 5th, is a bitter one. For more than a year past it has been wased openly and hotty, and for years before that time it had been secretly dejurbing the affeirs of the hospital.

In January, 1993, Mr. Eugene Clowes, a member of the hospital board, was "investigated" by the Virginia Senata, fol-